IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1221 OF 1993

Shri Vishnu Raghunath Kank, .. Petitioner.
Vs
1.Mrs Sheela Yeshwant Kank & ors Respondents
Mr S.J.Rairkar, for the petitioner.
None for the respondents.

CORAM : D.B.BHOSALE, J.

DATE : MARCH 18, 2005.

P.C.

1. By this writ petition, the petitioner has impugned the order dated 6.6.1991 passed below Exhibit 5-application in Special Civil Suit No.670 of 1989. By that order, the defendants were directed to pay an amount of Rs.500/- p.m. to plaintiff no.1 and Rs.200/- p.m. to plaintiff nos 2 to 4 each towards interim alimony from the date of the application till disposal of the suit. On earlier occasion, Mr Rairkar, learned counsel for the petitioner, had taken time to find out whether the suit is still pending. He states that he is not getting any response from his clients and, therefore, even today he is not in a position to state whether the suit is still pending or is already disposed of. This Court, while admitting the petition on 8.4.1993, had granted interim stay in terms of prayer clause 10(b)(i) in so far as the petitioner is concerned. The said prayer clause reads thus :

"10 (b)(i) - Pending hearing and final disposal of the writ petition the impugned order as referred to in prayer clause (a) above be stayed."

2. It appears that the suit must have been disposed of and that may be the reason why the petitioner is not responding to the letters written by his Advocate in the present petition. Keeping that in view and considering the overall circumstances, in my opinion, the following order will meet the ends of justice:

(i) The interim stay granted by this Court on 8.4.1993 shall remain operative till disposal of Civil Suit No.670 of 1989, if not already disposed of. If the said suit is still pending, the trial Court shall endeavour to dispose of the same as expeditiously as possible and preferably within one year from the date of receipt of this order. (ii) With this observation, the writ petition stands disposed of.

(D.B.Bhosale, J.)